

157. The machine-readable medium of claim 155, wherein the overtime triggering interval does not equal the extension time interval.

158. The machine-readable medium of claim 155, further comprising instructions which cause the processor to:

indicate that the lot is extended by the extended time interval.

cl<sup>o</sup>  
159. The method of claim 89 wherein the determining of step (b) comprises:  
triggering an overtime extension if any bid is submitted during the first time interval.

160. The method of claim 89 wherein the determining of step (b) comprises:  
triggering an overtime extension if the submitted bid is not better than a current best bid.

161. The computer-readable medium of claim 99, wherein the determining of step (b) comprises:  
triggering an overtime extension if any bid is submitted during the first time interval.

162. The computer-readable medium of claim 99, wherein the determining of step (b) comprises:  
triggering an overtime extension if the submitted bid is not better than a current best bid.

**REMARKS**

This Preliminary Amendment is filed in Continuation application (Serial No. 09/828,731) filed on April 9, 2001 under the Continuation Application procedure of 37 CFR § 1.53(b) of prior application, Application No. 09/311,557, which is a divisional of Application No.

09/252,790. By this Preliminary Amendment, Applicants have cancelled claims 90, 91, 100, 101, 116, 126, and 130-137 and added claims 138-162. Accordingly, claims 89-160 are presently under consideration. A marked-up version of the amendments is attached hereto.

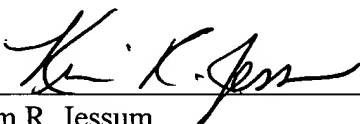
It is believed that all pending claims represent patentable subject matter over the cited prior art, either alone or in combination. Applicants respectfully request the Examiner's consideration and examination of the application and timely allowance of the pending claims.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time, fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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**MARKED-UP VERSION UNDER 37 C.F.R. § 1.121 (C)(1)**

Please amend claims 89, 92, 94-97, 99, 102, 105, 109-113, 117, 119-123 and 125-129 as follows:

89. A method to control overtime in an electronic auction, comprising:

(a) defining a first time interval corresponding to at least a portion of time during which bids are submitted to the auction for a first lot, a second time interval, a first overtime condition and a first closing time for the first lot, the first time interval not being equal to the second time interval;

(b) determining whether [said] the first overtime condition occurs during [said] the first time interval; and

(c) extending [said] the first closing time using [said] the second time interval in accordance with [said] the determination;

wherein an auction sponsor and [each] at least one bidder are coupled electronically over a communication network during the auction; and

wherein the first closing time corresponds to an end of the first time interval if the first closing time is not extended in step (c), and the first closing time corresponds to an end of the second time interval if the first time interval is extended in step (c).

92. The method of claim 89, wherein [said] the second time interval varies during the [course of the] auction.

94. The method of claim 89, wherein an overtime extension is triggered if the [a] submitted bid is better than a current best bid for the first lot.

95. The method of claim 89, wherein an overtime extension is triggered if an amount of [a received] the submitted bid is within a predetermined amount of another bid for the first lot.

96. The method of claim 89, wherein an overtime extension is triggered if the [a received] submitted bid is within a predetermined rank of another bid for the first lot.

97. The method of claim 89, wherein an overtime extension is triggered if [a received] the submitted bid is within a predetermined percentage of another bid for the first lot.

99. A computer-readable medium for controlling overtime in an electronic auction, the medium [containing] comprising instructions which, when executed by a processor, cause the processor to perform the following steps:

(a) defining a first time interval corresponding to at least a portion of time during which bids are submitted to the auction for a first lot, a second time interval, a first overtime condition and a first closing time for the first lot, the first time interval not being equal to the second time interval;

(b) determining whether [said] the first overtime condition occurs during [said] the first time interval; and

(c) extending [said] the first closing time using said second time interval in accordance with [said] the determination;

wherein an auction sponsor and each bidder are coupled electronically over a communication network during the auction;

wherein the first closing time corresponds to an end of the first time interval if the first closing time is not extended in step (c), and the first closing time corresponds to an end of the second time interval if the first time interval is extended in step (c).

102. The computer-readable medium of claim 99, wherein [said] the second time interval varies during [the course of] the auction.

105. The computer-readable medium of claim 99, wherein a received bid triggers an overtime extension if [the] an amount of the received bid is within a predetermined amount of another bid for the first lot.

109. A method of displaying an updated lot closing time in an electronic auction, comprising:  
displaying information about a first lot in the auction, [said] the information including a lot bid status and a closing time for the first lot;

receiving a bid for [said] the first lot within a first time interval prior to [said] the closing time; and

if [said] the received bid triggers an overtime extension in [said] the first lot, displaying an updated closing time, [wherein] the updated closing time [is] being determined by extending

the closing time by a time extension increment, the time extension increment not being equal to the first time interval.

110. The method of claim 109, wherein [said] the received bid triggers an overtime extension if the [submitted] received bid is better than a current best bid for the first lot.

111. The method of claim 109, wherein [said] the received bid triggers an overtime extension if [the] an amount of the received bid is within a predetermined amount of another bid for the first lot.

112. The method of claim 109, wherein [said] the received bid triggers an overtime extension if the received bid is within a predetermined rank of another bid for the first lot.

113. The method of claim 109, wherein [said] the received bid triggers an overtime extension if the received bid is within a predetermined percentage of another bid for the first lot.

115. The method of claim 109, wherein [said] the received bid triggers an overtime extension if the received bid is received within a predefined time increment of [said] the closing time.

117. The method of claim 109, wherein [said] the received bid triggers an overtime extension if [the] a bidder submitting the bid is an incumbent supplier.

119. A computer-readable medium for displaying an updated lot closing time in an electronic auction, the medium [containing] comprising instructions which, when executed by a processor, cause the processor to:

display information about a first lot, [said] the information including a lot bid status and a closing time for the first lot;

[submit] receive a bid for [said] the first lot within a first time interval of [said] the closing time; and

if [said submitted] the received bid triggers an overtime extension in [said] the first lot, display an updated closing time, [wherein] the updated closing time [is] being determined by extending the closing time by a time extension increment, the time extension increment not being equal to the first time interval.

120. The computer-readable medium of claim 119, wherein [said submitted] the received bid triggers an overtime extension if the [submitted] received bid is better than a current best bid for the first lot.

121. The computer-readable medium of claim 119, wherein [said submitted] the received bid triggers an overtime extension if [the] an amount of the [submitted] received bid is within a predetermined amount of another bid for the first lot.

122. The computer-readable medium of claim 119, wherein [said submitted] the received bid triggers an overtime extension if the [submitted] received bid is within a predetermined rank of another bid for the first lot.

123. The computer-readable medium of claim 119, wherein [said submitted] the received bid triggers an overtime extension if the [submitted] received bid is within a predetermined percentage of another bid for the first lot.

125. The computer-readable medium of claim 119, wherein [said submitted] the received bid triggers an overtime extension if the [submitted] received bid is submitted within a predefined time increment of [said] the closing time.

127. The computer-readable medium of claim 119, wherein [said submitted] the received bid triggers an overtime extension if [the] a bidder submitting the bid is an incumbent supplier.

128. The computer-readable medium of claim 119, wherein [said] the overtime extension increment is determined by an overtime extension parameter that is specific to the first lot.

129. A bidding device operated by a bidder during a multi-lot auction, [said] the bidding device comprising software that enables the bidder to submit bids to an online auction;



wherein [said] the bidding device displays information about a lot, [said] the information including a closing time of the lot, wherein [said] the closing time indicates that the lot is open for bidding; and

wherein if a bidder submits a bid for the lot that meets an overtime extension criteria within a predefined time interval before [said] the closing time, [said] the bidding device displays an updated closing time that is determined by extending the closing time by a first time extension increment.